

APPEAL NO. 020407
FILED MARCH 26, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on February 6, 2002. The hearing officer determined that the appellant (claimant) had not sustained a compensable injury on _____; that the claimant had failed to timely notify her employer of the alleged injury; and that because the claimant had not sustained a compensable injury, the claimant did not have disability. See Section 401.011(16) for the definition of disability.

The claimant appeals, reiterating much of the evidence favorable to her and asserts that there is insufficient evidence to support the hearing officer's decision. The respondent (carrier) responds, urging affirmance.

DECISION

Affirmed.

We have reviewed the complained-of determinations and conclude that the issues involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. Although the claimant may have a back injury, there is evidence that when she called in to work, she reported that she had hurt her back at home over the weekend. The contemporaneous medical reports do not reference a work-related injury. The carrier presented evidence that a work-related injury was not reported until eight months after it allegedly occurred. In any event, the evidence was in conflict and it is the hearing officer who, as the trier of fact, resolves the conflicts in the evidence and determines what facts the evidence has established. In this case, the hearing officer's decision on the disputed issues is supported by the evidence. We conclude that the hearing officer's determinations are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

Accordingly, the hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **ROYAL INDEMNITY COMPANY** and the name and address of its registered agent for service of process is

**CORPORATE SERVICES COMPANY
800 BRAZOS STREET
AUSTIN, TEXAS 78701.**

Thomas A. Knapp
Appeals Judge

CONCUR:

Philip F. O'Neill
Appeals Judge

Edward Vilano
Appeals Judge